



**State of Utah**

**Department of  
Natural Resources**

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*Executive Director*

**Division of  
Oil, Gas & Mining**

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*Lieutenant Governor*

November 8, 2006

John Gefferth, Environmental Engineer  
Consolidation Coal Company  
P.O. Box 566  
Sesser, Illinois 62884

Subject: Major Coal Exploration, Consolidation Coal Company, Hidden Valley,  
C/015/0007, Task ID #2624, Outgoing File

Dear Mr. Gefferth:

The above-referenced Major Coal Exploration Plan has been reviewed. There are deficiencies that must be adequately addressed prior to receiving Administrative Completeness. A copy of our Administrative Completeness Form is enclosed for your information. In order for us to continue to process your application, please respond to these deficiencies by February 8, 2007.

If you have any questions, please call me at (801) 538-5268 or Stephen Demczak at (435) 613-1146, Ext. 202.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read "Pamela Grubaugh-Littig".

Pamela Grubaugh-Littig  
Permit Supervisor

SJD/sd  
Enclosure  
cc: Price Field Office  
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**ADMINISTRATIVE COMPLETENESS REVIEW WORKSHEET**  
**Major Exploration (R645-200)**

**DATE:** 09/28/06

**REVIEWER(S):** Stephen Demczak, Lead; Joe Helfrich, Biology, Cultural Resources and Land Use; Steve Christensen, Hydrology; Priscilla Burton, Soils.

**APPLICANT:** Consolidation Coal Co. **MINE NAME:** Hidden Valley **FILE NO.:** C/015/0007, Task #2624

"Administratively Complete Application" means an application for permit approval or approval for coal exploration, where required, which the Division determines to contain information addressing each application requirement of the State Program and to contain all information necessary to initiate processing and public review.

**Directions:** The categories listed below correspond to the minimum requirements for information necessary to initiate processing and public review. If a category is checked the Applicant has met the Completeness requirement for that category. If a category is not checked, the Completeness requirements have not been met. The comments column will identify the deficiency and what is necessary to correct it.

Comments		
201-310	Conducting Major Exploration <u>X</u>	Plan is submitted for written approval by the Division, in lieu of permit to mine (Sec 410).
201-320	Content of Major Exploration <u>X</u>	See itemized contents below.
201-321	Name, Address, Telephone Applicant <u>X</u>	Information addressed in Sec 320 and 322.
201-322	Name, Address, Telephone Rep. —	John Gefferth is the responsible representative for Consol. Plan should indicate that this representative (based in Illinois) will be present during exploration activity.
201-323	Exploration and Reclamation Plan —	R645-201.323.300 - The applicant needs to give an estimated period of time to conduct Major Exploration. Applicant needs to add heading R645-201-323.200 thru R645-201-323.600 and address requirements under the proper heading.
201-324	Surface & Mineral Ownership —	Sec 324 states surface owned by Consol and minerals owned by Ivie Creek Coal Company Shareholders Trust. However, in Sec.433, the application indicates there is Consol fee coal. Please verify Consol mineral ownership in Sec. 324.
201-325	Map, roads, structures, surface water, etc. <u>X</u>	Maps and plans for road design have been submitted. However, refuse pile designs and reclamation for the pile needs more detail.
201-326	Right of Entry <u>X</u>	Consol, as surface owner, has the right of entry to surface.

201-327	Bonding Estimates	—	No bonding information. Total disturbed area is not given.
201-330	Public Notice	<u>X</u>	Consol has submitted a copy of the Notice within the plan. Notice has not been published.
201-331	Completeness Determination	—	Completeness will not be given. See other section of the ACR for more information.

201-341	Endangered Species	<u>X</u>	T & E species lists are provided as appendicies F and G for vegetation and wildlife.
201-400	Commercials Sales	—	Information required under R645-201-430 through 434 must be provided. Applicant has indicated that without precise tonnage and dates such a contract is difficult to obtain; however, R645-201-420 requires that the Division ascertain that the extracted coal will be utilized for the sole purpose of testing, as evidenced by a test burn proposition either with an end user or through a broker. <i>(This is the second time that the Division has made this request for information.)</i>
201-410	Coal Testing	—	Applicant requests that no permit is given since extraction of coal is for the purposes of coal testing, but applicant has not provided required documentation of testing proposal through end user or broker. <i>(This is the second time that the Division has made this request for information.)</i>

201-420	Demonstrate Coal Testing is needed	—	This seam has never been mined. The applicant states in Sec 123 that more than 250 tons are needed to determine marketability. In Sec 420, the applicant states the A seam has never been mined in commercial quantities, so testing is necessary.
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201-431	Name of Testing Firm, Location	—	Information required under R645-201-430 through 434 must be provided. Applicant has indicated that without precise tonnage and dates such a contract is difficult to obtain; however, R645-201-420 requires that the Division ascertain that the extracted coal will be utilized for the sole purpose of testing, as evidenced by a test burn proposition either with an end user or through a broker. <i>(This is the second time that the Division has made this request for information.)</i>
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201-432	Statement from end-user, Broker	—	None provided.
201-433	Evidence of sufficient reserves	—	Sec 433 indicates 22.5 tons of A seam coal available to Consol.
201-434	Explanation why core drill is not adequate	X	Core holes have been drilled under a minor exploration permit. This major exploration is required to determine the conditions of roof and floor.
202-231	Habitats of Unique for Fish, Wildlife	X	Information is included in appendix G of the application. A narrative describing wildlife species and critical habitat is provided. However, the application does not include a 2006 raptor survey.
202-232	Roads	X	Applicant has provided sufficient information regarding plans for sediment control, drainage control etc...See R645-202-232 for pertinent regulations regarding road design, drainage, sediment control and reclamation. Written descriptions as to how the applicant proposes to meet these regulations is required per R645-201-323.400.
202-233	Topsoil	—	Sec 233 indicates the top six inches will be salvaged and stockpiled from previously disturbed areas. Salvage and storage of topsoil from the road prior to construction should be explicit in the plan. Based upon recent experience with exploration core holes, the depth of salvage and storage of topsoil from the location of the refuse pile and sediment pond and coal storage area on the plateau should be stated. 1997 Reclamation work at the site entailed placement of 12 inches of coarse substitute topsoil on the regraded slopes. Twelve inches of salvage is recommended, for the road and reclaimed B seam portal location.
202-234	Diversions of Overland Flow	—	Applicant has not provided sufficient information regarding diversions of overland flow. See R645-202-234 for pertinent regulations. Written descriptions as to how the applicant proposes to meet these regulations is required per R645-201-323.400.

202-335	Hydrologic Balance	—	Applicant has not provided sufficient information regarding the potential impacts to the hydrologic balance. See R645-202-235 for pertinent regulations. Written descriptions as to how the applicant proposes to meet these regulations is required per R645-201-323.400. The applicant shows a coal storage area on the plateau above the mine site, the proposed size of stockpile and a description of dust control must be included in the application.
202-236	Acid- or Toxic Forming Materials	—	Sec 236 indicates refuse pile will be 1 acre in size and will be reclaimed in place with 4 ft cover or used as backfill inside the adits. Application must also include sampling of refuse pile prior to reclamation to determine acid/toxic status. Construction designs for the refuse pile are required that include maximum height and width. (see R645-202-236 requirements).
202-340	Reclamation Standards	—	Sec 240 indicates site will be reclaimed to a "similar state that exists today," however, the 1997 action plan approved by the Division for this site included reworking the A-Seam side to make a more concave slope and to improve the coarseness of the surface cover and to increase roughening and % cover by boulders. This commitment should be indicated in the reclamation standards proposed.
202-241	Approximately Original Contours	—	Applicant states the site will be reclaimed to AOC, but the refuse would not be AOC.
202-242	Revegetation	—	The applicant has not included any information regarding this section of the exploration requirements. Applicant indicates in App. F that another T & E survey was to be conducted in the Spring of 2006 please provide this information.
202-243	Borehole, Well, Portal	<u>X</u>	
202-244	Facilities and Equipment	<u>X</u>	Applicant states all equipment and facilities will be removed.